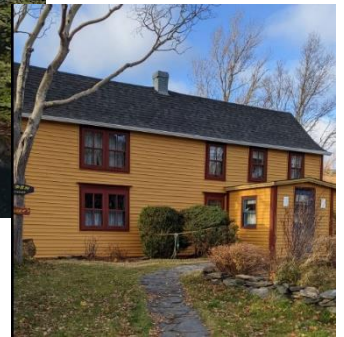
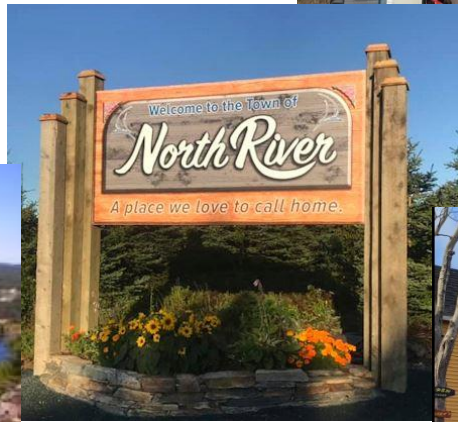


The Town of North River



MUNICIPAL PLAN 2025-2035



'Let's Build a Great Community Together'

TOWN OF NORTH RIVER
RESOLUTION TO APPROVE
MUNICIPAL PLAN, 2025-2035

Under the authority of Section 16, Section 17 and Section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of North River:

- a) Adopted the Town of North River Municipal Plan, 2025-2035 on the _____ day of _____, 2025;
- b) Gave notice of the adoption of Municipal Plan (2025-2035) by [*advertisement inserted on the ____ day of _____ and the ____ day of _____, 2025 in the newspaper _____; or as per COVID-19 protocol*] and,
- c) Scheduled the _____ day _____, 2025 at _____ the North River Town Hall, for the holding of a public hearing to consider objections and submissions to the Municipal Plan (2025-2035).

Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of North River approves the Municipal Plan (2025-2035).

SIGNED AND SEALED this ____ day of _____, 2025 .

Mayor: _____

Town Clerk: _____

Municipal Plan/Amendment <u>REGISTERED</u>	
Number	_____
Date	_____
Signature	_____

(Council Seal)

TOWN OF NORTH RIVER
RESOLUTION TO ADOPT
MUNICIPAL PLAN, 2025-2035

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Town of North River adopts the Town of North River Municipal Plan.

Adopted by the Town Council of the Town of North River on the _____ day of _____, 2025.

Signed and sealed this _____ day of _____, 2025.

Mayor: _____

Town Clerk: _____

(Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Municipal Plan has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.



Member, Canadian Institute of Planners (MCIP)



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1.0 INTRODUCTION

1.1 The Community Vision

The purpose of the new Municipal Plan and Development Regulations is to enable the Town of North River to pursue sustainable choices to meet the needs of the Town for the next 10 years. This Municipal Plan provides a policy framework to influence, manage, and regulate future growth and change in the Town of North River. These policies form the basis for the Development Regulations.

The Integrated Community Sustainability Plan for Town of North River prepared in 2009 contained a clear vision statement and community goals that reflects the character of the community. They are well articulated and stand the test of time. The vision statement sets out the fundamental values for the community.

The 2009 Visions statement is still relevant today, as follows:

“An environmentally and fiscally responsible residential community that is affordable to its residents, progressive, forward looking and a place that the people are proud to call home.”

1.2 Authority

The Municipal Plan and Development Regulations are legal documents created under the authority of the *Urban and Rural Planning Act, 2000*. The policies and development requirements contained in the documents and mapping are binding upon the Town Council, residents, and on any person undertaking a development within the Municipal Planning Area boundary (Section 12 of the *Urban and Rural Planning Act, 2000*).

The Municipal Plan and Development Regulations must address the development of the Municipal Planning area for a 10-year period. The Municipal Plan must be reviewed every five years (section 28) for a 10 year period.

The Municipal Plan guides the future growth and physical improvement of the Town by identifying locations and setting out policies for various types of land use development. These locations are shown as land use designations on the Future Land Use map found in Schedule A.

The Municipal Plan authorizes Council to prevent the undertaking of any development that contravenes a policy stated in the Municipal Plan or a requirement set out in the Development Regulations.

The *Urban and Rural Planning Act, 2000* requires the preparation of Development Regulations to ensure that land is controlled and used in compliance with the Municipal Plan (Section 35). The Development Regulations set out the regulations that enable the Council to administer the policies of the Municipal Plan.

The Municipal Plan provides the basis for the Development Regulations which provide more refined zoning within the land use designations indicating permitted and discretionary uses in each zone, development standards and conditions, and criteria for the evaluation of subdivision and development applications.

The Municipal Plan (2025-2035) comes into legal effect upon publication of the notice of registration in the *Newfoundland and Labrador Gazette*.

1.3 The Municipal Planning Process

The process for preparing a Municipal Plan and Development Regulations is set out in Part III of the *Urban and Rural Planning Act, 2000* (Sections 14-25) which must be undertaken by a certified planner in good standing with the Canadian Institute of Planners.

A Background Report for the Town of North River was prepared to inform the preparation of a new Municipal Plan and Development Regulations. The Background Report contains a review of land use, development and infrastructure servicing issues, and a socio-economic profile of the Town of North River. It provides the key findings of statistical research, community site visits, and discussions with the Town, Provincial agencies, and with community representatives.

The Municipal Plan and Development Regulations are prepared in consultation with Council, Town staff, and the public (as required by Section 14 of the *Urban and Rural Planning Act, 2000*). In particular, the residents and stakeholders in the Town were invited to two formal public consultations throughout the planning process. The first public consultation was undertaken September 22, 2025 during the Community Site visit. Tours of the Town were provided by Council members and stakeholders who shared their perspectives on the future of the community.

For the second public consultation, [TO COME] the draft planning documents and mapping were made available to the public. The poster and notices indicated that interested parties may contact the Town by email or telephone to receive electronic copies of the documents and maps.

Upon completion of the review and comment phase, the draft planning documents and mapping are submitted to the Provincial government for review and comment, as required, by Section 15 of the *Urban and Rural Planning Act, 2000*.

Upon completion of the provincial review, Council adopts the released planning documents and mapping and arranges a further opportunity for public input through a formal Public Hearing chaired by a qualified Commissioner, as required by Section 16-25 of the *Urban and Rural Planning Act, 2000*. The Commissioner is appointed by Council to consider objections and representations from the public, either opposing or in favour of the Municipal Plan and Development Regulations. The Commissioner formally reports his findings to Council as a result of the public hearing. Council may adopt the Commissioner report in whole, in part, or reject the report in its entirety.

Council approves (by Resolution) the Municipal Plan and Development Regulations and associated mapping submits them for registration (as required by Section 23 and 24 of the *Urban and Rural Planning Act, 2000*). Upon registration, the Council arranges for a notice to be published in the *Newfoundland and Labrador Gazette* which becomes the date of legal effect. A notice must also be published in a local newspaper to inform the public.

2.0 A SUSTAINABLE FRAMEWORK: MUNICIPAL PLAN OBJECTIVES

The following sections outline objectives of the Municipal Plan that apply throughout the Town of North River Planning area, (as required by Section 13 (2) of the *Urban and Rural Planning Act, 2000*.

The objectives of the Municipal Plan provide a sustainable framework for the land use and development policies set out in this Municipal Plan. They articulate the aspirations and needs of the residents of the Town of North River.

The following goals and objectives are from the Integrated Community Sustainability Plan, updated to reflect the current situation of the Town; with the addition of goals and objectives related to the purpose and authority of the Municipal Plan:

2.1 Sustainable Social and Cultural goals and objectives

- **Social Goals**

SG1 Develop the potential, passions and gifts of students so that they can make significant contributions to their communities.

SG2 Provide and promote affordable, accessible recreation, arts & culture, and leisure opportunities that support healthy and active lifestyles.

SG3 Promote and enhance the physical, mental and spiritual well-being of individuals and families

- **Social Objectives (O):**

SO1 Recognize seniors in municipal taxation.

SO2 Create regular employment opportunities for students.

SO3 Increase recreational opportunities within the community (ATVs, trails, playgrounds, boat launch, etc.

SO4 Establish a trail, road, and open space network that will permit and encourage safe and direct transportation within all areas of the community.

SO5 Support public events with the community.

SO6 Take a leadership role in fostering education for students.

- **Cultural Goals (G):**

CG1 Identify, protect and promote North River's heritage resources represented by its natural, built and cultural heritages that have contributed to North River's uniqueness, identity, and sense of place.

CG2 Build local identity through an appreciation of North River's non-tangible cultural assets represented in indigenous knowledge, shared experiences, oral history, traditional practices and skills, and local sense of place.

- **Cultural Objectives (O):**

CO1 Compile a history of North River.

CO2. Establish a series of annual/semi-annual community events–boat races, etc.

CO3. Incorporate the North River into ongoing community events.

General objectives

SCO1 To provide a healthy, pleasant, and safe living and working environment in North River;

SCO2 Accommodate housing needs for current and future residents for a range of age, income, abilities, and family status with a range of housing types to satisfy market needs

SCO3 To provide the quality of life amenities to facilitate community health and well-being, such an active lifestyle and opportunities for social interaction that is inclusive.

2.2 Sustainable Environment goals and objectives

- **Goals (G):**

EnG1 Protect natural water bodies and water functions ensuring that surface water is absorbed and ground water is recharged.

EnG2 Eliminate discharge of untreated wastewater to natural water bodies.

EnG3 Ensure greenspaces and environmental buffers are preserved throughout the community.

- **Objectives (O):**

- EnO1 Protect the water quality in the North River Estuary.
- EnO2 Reduce waste: Implement measures to reduce waste generation and increase recycling rates, such as introducing composting programs. Reduce municipal solid waste volume per household by 50%;.
- EnO3. Eliminate illegal dumping within the town boundary.
- EnO4 Protect watershed for the potential future establishment of a reservoir for North River's water suppl.
- EnO5 Improve the visual appearance of the community.
- EnO6 Greenspaces and environmental buffers to be included in municipal plan zoning. Identify and protect areas of ecological significance, such as wetlands, forests, and wildlife habitats. Implement measures to enhance biodiversity, such as reforestation, restoration of degraded lands, and promoting sustainable agriculture.
- EnO7 Promote the protection and conservation of the water cycle through innovative approaches to water supply and sewage management. Improve water quality: Implement measures to protect and enhance the quality of surface water and groundwater, such as reducing stormwater runoff, promoting green infrastructure.
- EnO8 Promote the remediation of environmentally damaged soils and water.
- EnO9 Reduce greenhouse gas emissions: Set targets for reducing the municipality's greenhouse gas emissions, which could include measures such as promoting renewable energy, increasing energy efficiency in buildings, and by implementing the more recent standards of the National Building Code of Canada;
- EnO10 Restrict development in environmentally hazardous areas such as steep slopes and areas prone to landslides and rockfall, and areas vulnerable to climate change effects on the coastline;
- EnO11 To encourage future growth in a manner that ensures land use compatibility, orderly development in a manner the promotes a balanced and attractive community taking into consideration its physical setting;
- EnO12 To protect heritage resources including structures and locations important to the historic understanding of the community for the benefit of both residents and visitors;

EnO13 Encourage sustainable development: Promote sustainable land use planning and development practices that minimize the impact on the environment, such as promoting mixed-use development and promoting green building practices

EnO14 To ensure compatibility of non-residential and residential development in a Town considering the geography of North River.

2.4 Sustainable Economic objectives

- **Goals (G):**

EcG1 Achieve long term financial sustainability for North River by 2020.

EcG2 Deliver a complement of municipal services to North River on par with all of the municipalities in Conception Bay.

EcG3. Maximize benefits in the delivery of municipal services through strategic partnerships.

- **Objectives (O):**

The objectives for economic sustainability include:

EcO1 Increase revenues to the community.

EcO2 Manage lanes/side roads infrastructure on a life-cycle basis.

EcO3 Achieve full participation in regional municipal service delivery.

EcO4 Research the implementation of a municipal water supply system to all residential lots in North River.

EcO5 Develop better on-going working relationships with the communities and organizations in Conception Bay North and in the Bay de Grave area.

EcO6 To encourage home-based businesses by including provisions in the Development Regulations regarding home business that will help residents augment their personal income without compromising the character, amenities and enjoyment of the community;

EcO7 To encourage the continued operation of existing commercial and industrial businesses through policies and regulations that facilitate expansion of the existing operations, including measure to attract and retain people needed for economic viability;

- EcO8 To provide flexibility in the zoning for a wide variety of business development opportunities;
- EcO9 Allocate sufficient land to meet anticipated needs for community for the next ten years, including employment-generating activities, such as tourism, commercial and industrial development opportunities, particularly mining.

2.5 Sustainable Governance objectives

- **Goals (G):**

- GG1. Work collaboratively to raise awareness about voting, remove barriers to voting and encourage residents to act.
- GG2 Create meaningful opportunities for members of the community to connect and engage in dialogue about issues that affect the community's well-being.
- GG3 Develop capacity within the community to foster civic involvement and governance models.
- GG4 Support the ongoing adoption and implementation of the ICSP and the Municipal Plan.

- **Objectives (O):**

- Go1. Manage the affairs of the municipality on par with municipalities across NL.
- Communications
 - Signage, Newsletter, Webpage
 - Establish committees of Council – ICSP, Recreation, Historical Society, etc.
 - Revised/updated municipal plan and regulations
- Go2. Maximize tax revenues from property based tax system.
- Go3. Achieve leadership status in the Bay de Grave area of Conception Bay.
- Develop a community logo
 - Community awareness
 - Education programs – recycling/composting, environmental, etc.
 - Develop/adopt green building codes for all residential and commercial construction.
- GO4 To provide for sound fiscal management by managing growth, development and provision of services in a manner that is in keeping with the financial resources of the community.

- GO5 To provide for open and accessible municipal government decision-making by providing municipal administration and services effectively, efficiently, and equitably to all residents, in a transparent manner;
- GO6 To communicate effectively, efficiently, and equitably to all residents, in a transparent manner that is inclusive;

3.0 LAND USE DESIGNATIONS, ZONING & OVERLAYS AND POLICIES

3.1 Land Use Designations

3.1.1 Land Use Classes: Designations and Zoning

In accordance with Section 13 (2) (c) of the *Urban and Rural Planning Act, 2000* the land in the Municipal Planning Area of the Town of North River is divided into land use classes. Within each land use class, a land use designation shall be defined and mapped on the Future Land Use Map. Within the designation, the Municipal Plan shall set out the Land Use Zones that shall be shown on the Land Use Zoning Map of the Development Regulations, as shown on the following table.

LAND USE CLASS	LAND USE DESIGNATIONS FUTURE LAND USE MAP	LAND USE ZONES LAND USE ZONING MAP
Commercial	Mixed Use	1. Mixed Use
Conservation	Conservation	2. Conservation
Public/ Institutional	Public Use	3. Public Use
	Recreation	4. Recreation
Public Utilities/service	Transportation	5. Transportation
Residential	Residential	6. Residential
Rural	Rural	7. Rural

3.1.2 Interpretation

It is a policy of Council to:

- 1) Establish Future Land Use designations on the Future Land Use Map.
- 2) Refine each Municipal Plan land use designation into land use zones for the Land Use Zoning map in the Development Regulations.
- 3) Indicate the uses in each zone in the Development Regulations, as follows:
 - a. Set out permitted uses in each zone and that can be approved, with or without conditions or refused with reasons;
 - b. Set out discretionary uses in each zone where Council determines that the use may negatively affect the predominant uses of the zone and that in order to mitigate this impact, it is desirable to consult with the public and possible affected parties prior to issuing (with or without conditions) or refusing a permit;
 - c. Indicate the following considerations when accepting or refusing a permitted or discretionary use:

- i. whether the use is appropriate for the site and the immediate surrounding area;
 - ii. the policies of the Municipal Plan as it pertains to the Town in general and as they pertain to the designation shown on the Future Land Use Maps in which the use is located.
- 4) Clarify the interpretation of boundaries between land use designations and zones: the boundaries between land use designations and zones are meant to be general, except where they coincide with roads or other prominent physical features, where they are intended to define the exact limits. No Development Regulation amendment shall be required in order to accommodate minor adjustments of the Use Zone boundaries.

3.1.3 Uses and requirements that apply in all zones

- 1) Set out the uses that are permitted in all Future Land Use designations and Land Use zones which shall include:
 - a. Conservation uses (environmental protection and open space, parks and trails);
 - b. Mineral exploration that is not a 'Development' (as defined under the *Urban and Rural Planning Act, 2000*);
 - c. Public infrastructure such as, utilities and municipal services;
 - d. Accessory uses and buildings provided the buildings are clearly incidental and complimentary to the main buildings' character, size and use; and wharves/boathouses/ slipways/breakwaters, where they are accessory to a principal use;
- 2) Ensure that new development does not obstruct views from public vantage points to the waterfront; and require an assessment of the impact of the height of the structure on the views of neighbouring properties is a requirement for consideration to restrict the height of the structure or alter the design to mitigate the impact;
- 3) To encourage the preservation of natural features such as beaches, mature tree cover, areas of steep slopes and wetlands to support the preservation of ecosystems and cultural landscape features for future generations. New development shall be required be designed to minimize environmental impacts.
- 4) To ensure that public access to and along the shoreline of North River is preserved. New development shall not be permitted to block or prevent public access by virtue of backfilling, depositing materials, erection of gates or fences. The impact on public access of the construction of wharves, docks or marinas along the shoreline will be considered in the review and approval of development applications.

3.2 Conservation Designation

The Conservation land use designation may be comprised of public and private open space; water bodies including buffers around ponds, shorelines, and wetlands; lands that contribute to important ecological functions and lands containing other natural physical features which are desirable for open space use or preservation in a natural state. It also includes landscapes with natural hazards such as shorelines susceptible to erosion or slopes with potential for landslides or the effects of climate change.

3.4.1 Objective

- 1) To protect natural areas which by reason of their intrinsic character, are sensitive, vulnerable, or ecologically significant, or have natural or recreation values or are vulnerable to geological hazards or climate change effects.
- 2) To protect natural areas which by reason of their intrinsic character, are
- 3) The Conservation zone shall be applied in areas where development must be restricted, such as shorelines, waterbodies, steep slopes, and development is unsuitable and environmentally unsustainable.

3.4.2 Policies

It is the policy of Council to:

- 1) Provide for a Conservation Future Land Use designation on the Future Land Use mapping;
- 2) In the Conservation designation, provide for a Conservation zone in the Development Regulations which will have the following uses as allowed under the Water Resources Management Division Policy W. R. 97-1:
 - a. Permitted uses include: Environmental Protection; Open Space; Parks and Trails; Boathouses, jetties, wharves, moorings and other docking facilities and the extension and upgrading of existing buildings; Cemetery; Uses allowed in all zones as set out in 3.1.3; and,
 - b. Discretionary uses include: Forest activities-domestic harvest only; Campground; Marina; Mineral exploration –‘development’.
- 3) The inclusion of privately-owned lands within the Conservation designation shall not imply that the land is accessible to the public. Permissions for public access to privately owned property within the Conservation designation shall be at the discretion of the property owner.

- 4) Designate lands as conservation in order to reduce the potential for property damage and loss of life due to flooding or other natural hazard, by restricting development on lands known to flood, such as flood plain lands or areas with severe slopes or unstable soils;
- 5) The Town may require that any development near a designated trail or water course be reviewed by the Town to ensure that development does not negatively impact such trail or watercourse. Where deemed necessary, the Town may require that the separation distance or visual buffer be provided by the developer.

3.3 Mixed Use Designation

3.4.2 Objective

The objective for the Mixed Use designation are to:

- (1) Provide more residential and commercial development opportunities along the main road in the community as there is very limited land available within the urban core for new commercial ventures.

3.4.2 Policies

It is the policy of Council to:

- 1) Provide for a Mixed Use Future Land Use designation on the Future Land Use mapping;
- 2) In the Mixed Use designation, provide for a Mixed Use zone in the Development Regulations which will have the following uses:
- 3) In the Mixed Use designation, provide for Mixed Use zone in the Development Regulations which will have the following uses:
 - a. Permitted Uses include: Amusement establishment; Business support service; Club and Lodge; Convenience store; General Service/repair, Medical or Dental Clinic; Offices; Personal Service; Offices; Public Gathering Place–Indoor; Restaurant–full service; Retail; Single detached dwelling; Uses allowed in all zones as set out in 3.1.1 (5); Home businesses-as set out below:
 1. Professions, such as an accountant, architect, auditor, engineer, realtor, insurance agent, planner, lawyer;
 2. Artisan and other home crafts;
 3. Telephone and mail order business;
 - b. Discretionary uses include: Bar; Semi-detached dwelling; Townhouse; Home businesses-(5.3.1) as set out below:
 - i. Food preparation for catering services and baking;

- ii. Music and dance lessons and educational tutoring
 - iii. Personal service that do not disrupt the residential character of the neighbourhood, such as a hairdressing, tailor, photographer, pet groomer, caterer's establishment, shoe repair, dressmaking, sewing repairs and tailor shop, small appliance, clock/watch, bicycle, ski and snowboard and computer repair, locksmiths, manicurists;
 - iv. Care services, such as child care, or home-care; and similar occupations or businesses.
 - v. Art gallery and framing shop;
 - vi. Pet grooming services;
 - vii. Bed and Breakfasts;
 - viii. Furniture repair and upholstery;
 - ix. Sale of bedding plants and trees grown on the same lot;
- 4) Provide development standards in the Development Regulations to maximize use of the land and accommodate efficient provision of services, and appropriate buffers, fences, and separation distances to avoid conflict between residential and non-residential land uses.

3.4 Public Use Designation

3.4.1 Objectives

The objectives for the Public Use designation are to:

- 1) To protect the Public Use land near the Town Hall to provide a focus to the community and serve the present and future needs of the community;
- 2) To provide land areas for churches and associated buildings and lands.

3.4.2 Policies

It is the policy of Council to:

- 1) Provide for a Public Use Future Land Use designation on the Future Land Use mapping;
- 2) In the Public Use designation, provide for Public Use zone in the Development Regulations; which will have the following uses:
 - a. Permitted Uses include: Public/Institutional Uses (Town office and town depot); Public Gathering-Indoor; Uses allowed in all zones as set out in 3.1.3; and,
 - b. Discretionary Uses include: Club and lodge; Outdoor Market.

- 3) Provide development standards in the Development Regulations to maximize use of the land and accommodate efficient provision of services, and appropriate buffers, fences, and separation distances to avoid conflict.

3.4.1 Recreation Designation

3.5.1 Objective

- 1) To protect land where the Town invests in recreation facilities and amenities.

3.5.2 Policies

It is the policy of Council to:

- 1) Provide for a Recreation designation on the Future Land Use map;
- 2) In the Recreation designation, establish a Recreation zone in the Development Regulations which will have the following uses:
 - a. Permitted Uses: Open Space/Parks/Trails; Sport and Recreation facilities; Uses allowed in all zones as set out in 3.1.1 (5);
 - b. Discretionary Uses: Public gathering places-Outdoor; Restaurant-Mobile Take Out & Street Vendor; Outdoor Market.
- 3) provide the opportunity to recognize lands where the Town or community groups have invested in the development of active and passive recreational facilities and protect the lands from other non-compatible uses.
- 4) Apply the Recreation zone in areas where the Town or community organizations have invested in development of infrastructure for recreation purposes;
- 5) Use Recreation zone land for developed parks, playing fields, facilities for organized sports, community recreation centres and walking trail networks. Uses that are complementary to the primary recreational use, such as small catering facilities and storage sheds associated with facilities may also be permitted.

3.6 Residential Designation

3.6.1 Objectives

The objectives for the Residential designation in North River are:

- 1) To provide an adequate land base for residential development to meet the future needs to the community;
- 2) To encourage a variety of housing types, sizes and affordability levels for people

at all stages of life, abilities and income levels;

- 3) To provide residential development design standards in the development regulations which address road and lot layout requirements that allow for the best use of the land, maximize use of infrastructure and fit with the country-living character of the community.

3.6.2 Policies

It is the policy of Council to:

- 1) Provide for a Residential land use designation on the Future Land Use mapping;
- 2) In the Residential designation, provide a corresponding a Residential zone in the Development Regulations which shall have the following uses:
 - a. Permitted Uses: Single detached dwelling; Semi-detached dwelling; Subsidiary apartment; Uses set out in 3.1.3; Home businesses that are permitted uses in the Residential zone:
 - i. Professions, such as an accountant, architect, auditor, engineer, realtor, insurance agent, planner, lawyer;
 - ii. Artisan and other home crafts;
 - iii. Music and dance lessons and educational tutoring;
 - iv. Telephone and mail order business;
 - b. Discretionary Uses: Apartment building; Assisted Living-Residential ; Convenience store; Day Care-residential; Dormitory; Energy generating facility residential only; Garage/public parking, taxi stand; Garden suite ;; Hostel; Hotel;-Institutional =Education facilities only and employee/student housing; Mini-homes; Mini-home; Motel; Non-profit housing; Public Gathering Places-Indoor;
 - c. Short Term Residential Rentals; Supportive housing; Tiny Home; Townhouse; Transitional housing; Urban agriculture; Home businesses as discretionary uses, including but not limited to:
 - a. Food preparation for catering services and baking;
 - b. Music and dance lessons, and educational tutoring
 - c. Personal service that do not disrupt the residential character of the neighbourhood, such as a hairdressing, tailor, photographer, pet groomer, caterer's establishment, shoe repair, dressmaking, sewing repairs and tailor shop, small appliance, clock/watch, bicycle, ski and snowboard and computer repair, locksmiths, manicurists;
 - d. Care services, such as child care, or home-care; and similar occupations or businesses.

- e. Art gallery and framing shop;
 - f. Pet grooming services;
 - g. Bed and Breakfasts;
 - h. Boarding house
 - i. Home care-residential
 - j. Furniture repair and upholstery;
 - k. Sale of bedding plants and trees grown on the same lot;
- 3) Require prior approval of the Department of Digital Government and Service NL for on-site water supply and sewage disposal system for each lot for non-serviced lots, before development permits are issued in areas where municipal services cannot be provided in an economic manner;
- 4) Protect the housing stock of the town from seasonal use, such as short term residential rentals (STRR) by Council shall have the discretion to:
- a. Short-Term Residential Rental (STRR) uses shall have a permit from the Town and are only allowed as a discretionary use and where such dwelling units are well maintained and attractive to the intended tourism accommodation use and surrounding residential neighbourhood;
 - b. Neighbourhood consultation must be undertaken prior to approval of a new STRR permit being issued;
 - c. All STRRs shall be licenced under appropriate provincial regulations, such as, the Tourist Establishment Regulations including Service NL approvals and proof of appropriate insurance coverage;
 - d. Every bedroom available to be rented shall have parking spaces (one for every unit);
 - e. A STRR is not permitted within a mobile home.
 - f. Council shall have the discretion to enact the following measures as needed:
 - i. limit the density of a combination of Short-Term Rentals and Bed and Breakfast operations in a neighbourhood;
 - ii. a moratorium on new STRRs;
 - iii. set a percentage of all housing stock that can be STRR, and when that is met new licences will only be issued when a licence is retired;
 - iv. require that STRRs must be owner-occupied (like a bed and breakfast);
 - v. require that only residents of the Town of North River can own a STRR
 - vi. limit the number per individual;
 - vii. prohibit Hotel/Motel operations from having STRRs as part of their accommodation offerings;
 - viii. Allow an Accessory Building, boat house or other structure to be used as a STRR.

Subdivision Development

- 5) Require residential subdivision development to have a development agreement with a layout approved by Council. Proposed subdivisions shall be subjected to evaluation for conformity with the goals, objectives and policies of this Municipal Plan and Development Regulations.
- 6) Ensure that the developer shall be responsible for the cost of development, including all road, water and sewer extensions. Preparation of land for subdivision development shall be carried out in a way that respects the environment and provides for proper site drainage, avoids erosion does not contribute to pollution on or off site. Because mature trees prevent erosion, shield houses from wind and blowing snow and provide aesthetic benefits, developers shall have regard to presenting mature trees when preparing a site for subdivision development. Council may require that the developer have an engineer or other qualified professional assess the impact that the subdivision development may have on the environment on site and on surrounding land and water.

Shared Driveways

- 7) Allow shared driveways in the Residential zone only. Standards in the Development Regulations shall minimize liability to the Town by addressing public health and safety access to homes for emergency services. These include:
 - a. A shared driveway is considered a private road and it shall not be maintained by Council;
 - b. No more than three properties are allowed to have a shared driveway (private road);
 - c. All primary buildings accessed by a shared driveway must have a street number visible from the street in order to meet public safety and emergency requirements.

Garden Suites

- 8) Allow garden suites as a discretionary use in the Residential zone provided they meet the following requirements:
 - a. The lot must meet the Residential development standards;
 - b. The garden suite can only be a maximum of 75 m² in size;
 - c. The garden suite must have its own servicing either via municipal services or according to the standards of the Department of Digital Government and Service NL;

Back lots

- 9) Permit residential backlot development in the Residential zone only. Land can be subdivided for back lot development where the driveway from the street forms part of the lot. A backlot must be:
 - a. located on a land behind existing development where the vacant parcel is of sufficient size to meet the development standards for a single dwelling.
 - b. The development conditions regarding access width, length, and the application of the building line, side yard, and rearward requirements to be specified in the Development Regulations, include, but are not limited to:
 - i. The lot must have municipal servicing where available; and where municipal services are not available, appropriate approvals for onsite servicing must be obtained from the Department of Digital Government and Service NL;
 - ii. The development of the lot must not prejudice the use of adjoining back land. Council shall be satisfied that the backlot development shall not detract or restrict other types of development on adjacent lands;
 - iii. To ensure that Council can meet its responsibility for public safety and emergency access by limiting the location of a dwelling on a backlot which shall be a maximum of 200 metres from a public street.

3.7 Rural Designation

Lands designated as Rural are intended to be protected for the rural setting of the community, and used primarily by natural resource industries such as agriculture, forestry, fishing, mineral working operations, conservation uses, and other uses which by the nature of size or activity is not suitable to be located in the built-up area of the community.

3.7.1 Objectives

The objectives of the Rural zone are to:

- 1) Protect the rural and natural setting of the community
- 2) Enable natural resource industries and encourage responsible management practices to maintain these resources;
- 3) Provide locations for employment-generating operations that are not compatible with the urban core of the community;

3.7.2 Policies

It is the policy of Council to:

- 1) Provide for a Rural designation on the Future Land Use map;
- 2) In the Rural designation, and establish a Rural zone in the Development Regulations that shall allow the following uses:

- a. Permitted Uses: Commercial Agriculture; Domestic Sawmill; Hobby Farm; Forestry Activities; -Mineral Working; Mineral Exploration-development; Natural Resource-Related industries; -Protective and Emergency Services; Resort; Uses set out in 3.1.3
 - b. Discretionary Uses: Cemetery; Campground; Contractor-General; Cottage (except as limited by Cottage policy 019-99-E-see overlays); Marina; Public Gathering-Indoor; Public Gathering Outdoor; Amusement Park/Attraction; Service Station; Kennel; Solid waste recycling/disposal and composting; Veterinary Clinic; Outdoor Market; In the Rural zone, residences are only allowed as a subsidiary use in situations where a farm or forestry in the primary use;
- 3) Ensure that development of rural lands does not block future access for other future opportunities for land use and development;

3.8 Transportation Designation

3.8.1 Objectives

The objective in the Transportation designation is:

- 1) To ensure the continued functioning of the Trans-Canada Highway and its access points with the Town

3.8.2 Policies

It is the policy of Council to:

- 1) Provide for a Transportation Land Use designation on the Future Land Use mapping;
- 2) In the Transportation designation, provide for a Transportation Zone in the Development Regulations with the following uses:
 - a. Permitted Uses: Public Infrastructure and utilities;
 - b. Discretionary Uses: Open Space, Park and Trails;
- 3) All uses or development in this zone is subject to the approval of the Department of Transportation and Infrastructure;
- 4) To establish restrict development with the Transportation designation The Trans-Canada Highway within the boundaries of the Town is designated on the Future Land Use Map. Within this land use designation, no development will be permitted, except that which is necessary to the functioning of the highway and movement of people. No development shall be permitted which would restrict the free flow of traffic.

- 5) Require that any development or subdivision of land proposed within 100 metres of the centre-line of the Trans-Canada Highway shall have approval from Digital Government and Service NL. Proposed developments requiring access off the Trans-Canada Highway require approval from the Department of Transportation and Infrastructure.

3.9 Overlays

Provincial and municipal interests shall be shown as ‘overlays’ on the Future Land Use in the Municipal Plan and Land Use Zoning map in the Development Regulations. They require consideration of the Town when reviewing development in these areas. It is the policy of the Town to undertake the following actions regarding provincial and municipal interests, as follows:

- 1) **Blueberry Management Area:** All development applications received for land within the Blueberry Management area shall be referred to the Land Stewardship Resources Division;
- 2) **Building Near Highways:** Within 15-metres of either side of the provincial highway, the Town shall refer development applications to the Digital Government and Service NL Division for comment, as per *Building Near Highways Regulations, 1997*.
- 3) **Building Control Line** (Protected Road Zoning Regulations, 96-217): Any development applications within the BCL must be referred to Digital Services & Service NL for review (and Development Permit);
- 4) **Climate Change hazard-4-metre contour:** Regarding new development applications below the 4-metre contour Council shall consider potential environmental risks as these lands will be susceptible to flooding due to rising sea levels and potential storm surge in the future according to the Geological Survey of Newfoundland and Labrador;
- 5) **Coastal climate change 30-metre buffer:** All development applications within this 30-metre buffer must have a flood and climate change impact assessment;
- 6) **Cottage Planning Area 019-99-E:** No cottages or remote resource cabins are allowed.
- 7) **Domestic Harvesting:** All development applications within these areas shall be referred to the Forest Service Branch for comment;
- 8) **Quarry Referral Buffer:** These are shown on the Land Use zoning map and any applications for development within the 300 metre buffer shall be referred to the Mineral Lands Division (refer to section on Buffers); In consultation with the Mineral Lands Division, where the municipal authority is satisfied that the mineral working shall not adversely affect the specified adjacent use or natural feature, mineral working may be permitted closer than the minimum separation distance or buffer specified. By allowing the municipality to waive

pre-set separation distances where it is satisfied there shall be no adverse effect provides for greater flexibility in selecting sites where mineral workings may be permitted. Where mineral workings are proposed within a specified distance of a specified adjacent use or natural feature that may be adversely affected by the mineral workings, special conditions should be applied to mitigate, reduce, limit, or eliminate the anticipated negative effects. Also, where a minimum required distance was originally observed when choosing the location of a mineral working, the mineral working shall not be discontinued or impeded where the buffer is reduced to less than the required distance due to encroachment of development or zoning boundaries towards the mineral working.

- 9) **Survey Control Monuments:** The GIS and Mapping Division shall be contacted (GMD@gov.nl.ca) if works within the Town have the potential of disturbing an existing Control Survey Markers.

4.0 IMPLEMENTATION

4.1 AMENDMENTS TO THE MUNICIPAL PLAN

Council may consider amendments to the Municipal Plan when:

1. There have been significant changes to the community since the preparation of the Background Report that provided the factual basis for the policies in this Municipal Plan;
2. Studies have been undertaken by the Town or the Provincial or Federal governments which contain recommendations or policies which should be incorporated into the Municipal Plan;
3. A development proposal is submitted to Council which provides sufficient information and rationale to support a change in the Municipal Plan;

As per Section 25 of the *Urban and Rural Planning Act, 2000*, an amendment to the Municipal Plan and Development Regulations must follow the process set out in Sections 14-25 of the *Urban and Rural Planning Act, 2000*.

A person may request to have the zoning of a parcel of land changed in order to accommodate a use or development not permitted under its' current zoning. This might only require an amendment to the Development Regulations without amendment to the Municipal Plan. Alternatively, a Development Regulations amendment may consist of a change to the text of the regulations. Where there is only an Amendment to the Development Regulations, then Section 35 (5) of the *Urban and Rural Planning Act, 2000* applies.

In considering requests for Development Regulation amendments, Council shall consider:

- all appropriate policies set out in this Municipal Plan;
- the provision of road, water, and sanitary and storm sewer services and the impact on existing infrastructure;
- the fiscal impact of the development on the Town;
- community/neighbourhood context for the proposed development;
- Environmental considerations, emissions, effluents, nuisance effects; and,
- site suitability: slope, groundwater, location of watercourses and wetlands.

Council is not required to consider an application for rezoning and that decision cannot be appealed to the Regional Appeal Board as per Section 42 (2) of the *Urban and Rural Planning Act, 2000*.

The procedure for an amendment only to the Development Regulations is set out in the Development Regulations.

4.2 REVIEW OF THE MUNICIPAL PLAN

The Council for the Town of North River shall undertake a review of the Municipal Plan every five years in accordance with the requirements of Section 28 of the *Urban and Rural Planning Act, 2000*. This review may be comprehensive or it may consist of an audit of progress that confirms that the Municipal Plan is still relevant. The review process is valuable to the Council and residents to ensure that the administration of the community achieves the objectives of its residents.

This Municipal Plan and Development Regulations are developed for a 10-year period and each 5-year review must consider a 10-year period.

4.3 DEVELOPMENT REGULATIONS

The following policies apply throughout the Steady Brook Municipal Planning area (Section 13 (2) 2) of the *Urban and Rural Planning Act, 2000*.

It is Council policy to:

In order for the Town of King's Point to achieve the vision, objectives, and policies articulated in their Municipal Plan, the Council shall:

- Adopt Development Regulations as a tool for administration and implementation;
- Ensure a clear and efficient approach to the development review, decision-making, and appeal processes.

Development Regulations are one of the main vehicles through which Municipal Plans are implemented. The Town shall review, revise, and adopt Development Regulations pursuant to Section 35 of the *Urban and Rural Planning Act, 2000*. The Development Regulations are established to ensure that land is controlled and used only in accordance with the King's Point's Municipal Plan.

The following policies relating to the establishment of the Development Regulations apply throughout the King's Pont Municipal Planning area in conformance with (Section 13 (2) 2) and Section 35 of the *Urban and Rural Planning Act, 2000*.

IT IS COUNCIL POLICY TO:

Authorities and Responsibilities (Chapter 1-Development Regulations)

- 1) Set out the authorities, statutory compliance, legal context and delegation of authorities framework in the Development Regulations;

Administration of the regulations (Chapter 2-Development Regulations)

- 2) Establish a Municipal Plan which applies to the Town of King's Point Municipal Planning area for a period of 10 years as required by Section 13 (2) (g), and establish Development Regulations to implement the plan as required by Section 35 of the *Urban and Rural Planning Act, 2000*.
- 3) Require that the Municipal Plan and Development Regulations shall be subject to all relevant Federal and Provincial legislation, regulations, policies, guidelines and standards. Notwithstanding this requirement, the Development Regulations shall incorporate specific compliance requirements as set out in Schedule A-Provincial and Federal Interests and requirements;
- 4) For land use and development within the Municipal Planning Area boundary, the Development Regulations must state the responsibilities of the Town or the applicant with regard to compliance with the policies of the Municipal Plan and the conditions and standards set out in the Development Regulations;
- 5) Set out provisions regarding the authorities of Council for the delegation of authority (section 109 of the Urban and Rural Planning Act, 2000), right of entry (Section 105 of the Urban and Rural Planning Act, 2000), and enforcement authority (Section 103 of the Urban and Rural Planning Act, 2000, and issuance of stop work orders.
- 6) Establish a transparent application review process that enables Council to comprehensively evaluate proposed development, involve the public where appropriate, and consider alternatives during the review process of development proposals. The regulations shall address: when a permit is required, the requirements for all applications, discretionary use applications and planned unit development applications, and the obligations of the applicant and Town in the application process in the application process;
- 7) Provide development standards for planned unit development in the Development Regulations. A planned unit development may be a residential, commercial, or industrial development containing one more single or individual developments (i.e., condominium or townhouses which can be sold as separate units or a shopping complex containing separate retail units which are leased as individual spaces). The planned development may be treated as a single development where services are to be provided and maintained privately

and internally. It must front on to a publicly maintained road and meet the Town standards for roads and servicing. The uses must conform with the permitted or discretionary uses in the relevant use zone;

- 8) Set out provisions in the Development Regulations for:
 - a. variances (Section 36 (1) (B) *Urban and Rural Planning Act, 2000* and Sections 12 and 13 of the Minister's *Development Regulations 3/01*),
 - b. non-conforming use (Section 108 of the *Urban and Rural Planning Act, 2000*; and Sections 12 and 13 of the Ministers *Development Regulations 3/01*); and,
 - c. the amendment process for the Municipal Plan and/or Development Regulations as per the *Urban and Rural Planning Act, 2000* and Minister's *Development Regulations 3/01*.
- 9) Set out the application decision-making process in the Development Regulations including, but not limited to, the decision-making authority of Council, including:
 - a. Discretionary decision-making and premature development:
 - i. In considering an application for a permit to carry out development, take into account the policies expressed in the Municipal Plan and any further scheme, plan, or Regulations pursuant thereto, and shall assess the general appearance of the development of the area, the amenity of the surroundings, availability of utilities, public safety and convenience, and any other considerations which are, in its opinion, material, and notwithstanding the conformity of the application with the requirements of these Regulations, Council may, in its discretion, and as a result of its consideration of the matters set out in these Development Regulations, approve with conditions or refuse the application;
 - ii. Refuse development that is premature, or that adds unnecessary financial burden to the Town where public costs exceed public benefits.
 - b. timely decision-making;
 - c. written reasons for refusal, and,
 - d. the responsibility to inform applicants of the appeal process;
- 10) Set out special conditions for development in the Development Regulations such as Planned Unit developments, Development Agreements, Planning Impact Analysis, Financial Guarantees by Developers, Service levies, Requirement for land conveyed for public work purpose and for park/public use in subdivisions and restoration of land: In particular:
 - a. The Town shall Town to enter into agreements for new developments involving the subdivision and/or consolidation of

lands for development. Such agreement shall be negotiated between the developer and the Municipality for financing and development of services provided to the site, constructed to municipal standards and consistent with the policies of this Plan and the Development Regulations;

- b. Where an application for development or an application for an amendment to the Municipal Plan and/or Development Regulations is considered by Council to potentially have a significant effect on the community, Council may require that a Planning Impact Analysis be undertaken to address Council concerns;

- 11) Set out the enforcement authorities in the Development Regulations;

Land Use Designations & Zones and Policies (Chapter 3-Development Regulations)

- 12) Within the designations set out in Municipal Plan and Future Land Use Map, Council shall set out the land use zones to be indicated on the Land Use Zoning Map of the Development Regulations; The associated policies shall indicate permitted and discretionary uses including uses permitted in all zones, as well as development standards for the zone; accessory uses and buildings, and home businesses; and indicate provincial interest overlays and requirements; including interpretation of the Land Use Zoning mapping and associated Use Zone tables; uses to be permitted in all zones and general provisions regarding the protection of traditional trails, views, natural features and public access to the shoreline (Refer to 3.3.1 (5);

General Development Policies (Chapter 4-Development Regulations)

- 13) The chapter will provide tools to deal with nuisance by:
 - a. Defining and prohibiting 'nuisance' and 'dangerous and unsightly' development and
 - b. Providing authority to establish buffers and separation distances between uses;
- 14) Ensure that the Development Regulations contain provisions regarding lot size integrity, unsubdivided land, lot to front on to a public street, building lines and setbacks, flanking or corner lots, side yards, multiple uses on one lot, outdoor storage, civic numbering, and building design and heritage.
- 15) Provide standards and conditions regarding building design and town character, including, and landscaping in the Development Regulations; Council to encourage the retention of the style, size, scale, colour and form of buildings and the preservation of heritage structures.
- 16) Set out standards in the Development Regulations regarding municipal services and public utilities, such as, access points to the public street in terms of

number, location, and design in order to keep the street safe and efficient for both vehicles and pedestrians; storm water management and surface drainage to protect adjacent properties, wetlands and waterbodies; effluents; onsite services; and environmental investigations;

- 17) Set out requirements for adequate off-street parking and loading facilities shall be set out in the Development Regulations;
- 18) Set out regulations regarding signs (advertisements);

Land Use definitions and conditions for development (Chapter 5-Development Regulations)

- 19) Set out Land Use Definitions and specific conditions for development in the Development Regulations according to Land Use Class.

Subdivision for Future Development (Chapter 6-Development Regulations)

- 20) Provide requirements for the subdivision of land including standards of development, Subdivision Agreements, and other requirements needed to achieve compliance with the policies of the Municipal Plan;
- 21) Require a permit from Council for all subdivision of land;
- 22) For subdivision development with 5 lots or more, a Subdivision Plan must be submitted to Council which addresses all issues related to the development of the site including but not limited to:
 - a. Conformity to the goals, objectives, and policies of this Municipal Plan;
 - b. Conformity to a Comprehensive Planned Development plan or a Development Scheme as approved by Council, which accounts for the development of lands abutting the site;
 - c. A description of the subject lands;
 - d. Consideration of land ownership as it will affect the layout of streets and access to the site from existing roads and internal road layout;
 - e. Provision of potable water, groundwater assessments where onsite wells are used for water, storm runoff management, and sanitary waste services;
 - f. Provision for lot layout scheme including the phasing of development;
 - g. Provision for retention of existing vegetations and plans for landscaping;
 - h. Consideration of community connectivity in terms of active living opportunities, such as, parks and trails;
- 23) Ensure that the local transportation system adequately and safely provides access to meet the needs of residents and businesses;
- 24) Include Section 37 of the *Urban and Rural Planning Act, 2000* which allows Council to require up to 10% of the subdivision or land to be developed to be dedicated to the Town as public open space; including option for cash in lieu.

Federal and Provincial Government requirements (Schedule A-Development Regulations)

- 25) Notwithstanding the comprehensive compliance requirements, the Development Regulations will include specific standards, conditions and permitting requirements requested by Departments responding to the Intergovernmental Land Use referral pertaining to the federal and provincial statutes, regulations, guidelines and standards.

Interpretation of Technical Terms (Schedule B-Development Regulations)

- 26) Include definitions of technical terms, including all from the Urban and Rural Planning Act, 2000 and the Minister's Development Regulations, 01/03, 1996. .

Minister's Development Regulations, 01/03, 1996 (Schedule C-Development Regulations)

- 27) Include *Minister's Development Regulations, 01/03, 1996*

Non-Conforming Uses & Non-Conforming Development (Schedule D-Development Regulations)

- 28) Include relevant sections of the Urban & Rural Planning Act, 2000 and Minister's Development Regulations pertaining non-conforming uses and non-conforming development;

Water Resource Management Division Policies (WRMD) (Schedule E-Development Regulations)

- 29) Copies of these policies are included to facilitate reference to WRMD policies to be implemented in the Municipal Planning Area.

Parking and Off-street loading (Schedule F-Development Regulations)

- 30) Include standards and conditions in the Development Regulations pertaining to the parking and loading.

Future Land Use Map and Land Use Zoning Map (Schedule G-Development Regulations)

- 31) Include Future Land Use Map in the Municipal Plan and Land Use Zoning Map in the Development

SCHEDULE A: PROVINCIAL AND FEDERAL INTERESTS

PROVINCIAL AND FEDERAL INTEREST REQUIREMENTS

As set out in Section 1.3, the Development Regulations shall be subject to all Federal and Provincial legislation, regulations, policies and guidelines. Given that requirements of the federal and provincial agencies change over time and other exigencies, applicants are responsible to ensure that all appropriate federal and provincial permits and approvals have been secured prior to the use and/or development of land within the Municipal Planning Area boundary.

Notwithstanding this requirement, these Development Regulations shall incorporate specific compliance requirements as set out in the comments provided as part of the Intergovernmental Land Use Committee referral and Provincial Interest information provided on the Provincial Government Land Use Atlas, as follows:

A.1 Climate Change Division

Take into consideration available data regarding provincial climate change projections for St. John's Airport (nearest regional site) when considering land for future developments that are in close proximity to a river, floodplain or coastline. These projections suggest that extreme precipitation events will become more intense, for example:

- On a 24-hour basis, a 1-in-100 year storm is expected to bring 167 mm of precipitation by mid-century, an increase from the current climate's 137 mm (22% growth); and
- On a 12-hour basis, a 1-in-100 year storm is expected to bring 150 mm of precipitation by mid-century, an increase from the current climate's 122 mm (23% growth).

Climate change is expected to result in more precipitation and more frequent extreme weather events that may result in increased flooding, sea surge and coastal erosion. These factors shall be considered when allocating land for future developments that are in close proximity to a river, floodplain or coastline; particularly for lands below the 4-metre contour (Geological Survey of Newfoundland and Labrador).

A.2 Crown Land Administration Division

- 1) The use of Crown land is subject to the Town of North River Municipal Plan and Development Regulations, including zoning and permitting requirements.
- 2) Approvals shall be obtained from the appropriate Regional Lands Office, Government of Newfoundland and Labrador; applications are made to the Regional Lands Office.
- 3) Crown land applications shall be approved by the Council regarding the use and development of the land prior to approval for issuance of title by the Lands Branch of the Government of Newfoundland and Labrador.

A.3 Digital Government and Service NL

- 1) Council shall require compliance with Department of Digital Government and Service NL requirements, before issuing approvals. These include, but are not limited to: on-site services, highway signs; electrical permits; building accessibility; access to highways; tanning salon and/or Personal services establishment; Food establishment licence; public markets/farmer's markets; meat plant; pool; wastewater or water system approval; tobacco sales; water supply testing; cemetery; waste management; fuel storage and handling;

asphalt, boiler; pressure vessel and compressed gas installation. The Development Regulations shall provide greater detail on: on-site services, highway signs; building accessibility; access to highways.

- 2) A permit for erection or display of advertisement on Provincial Highways shall be obtained from the Government Service Centre. This requirement applies within a control line established on each side of every highway. According to section 5, the control lines extends 100 metres from the centreline. Within this control line, corridor 1 is reserved for regulatory, directional and fingerboard information signs. Off-site promotional signs are restricted to those associated with uses listed in the Schedule and are restricted to corridor 2. The Highway Sign Regulations do not provide for other types of off-site signage including digital signs.

A.4 Fisheries and Oceans Canada

For any work conducted in or near water, the Town shall consult with Fish and Fish Habitat Protection Program, Fisheries and Oceans Canada to determine potential impacts and mitigative measures regarding fish and fish habitat. A 50-metre buffer is required for referral to the Department of Fisheries and Oceans.

A.5 Forestry Division

Forestry activities are:

- i. a permitted use in the Rural zone;
- ii. a discretionary use in the Environmental Protection and,
- iii. a discretionary use in the Protected Water Supply zone subject to referral to the Water Resource Management Division;

A.6 Environmental Assessment

Council shall review applications regarding requirements for registration for an Environmental Assessment review under Section 28 of the *Environmental Protection Regulations, 2003*. If Council deems that a proposed development may trigger the requirements of the Environmental Protection Act, 2002, the proponent shall be advised to consult with the Environmental Assessment Division and a development permit cannot be issued until this process is complete.

An undertaking located within 200 metres of the high-water mark of a Scheduled Salmon River (North River) must be registered for an Environmental Assessment review under Section 28 of the Environmental Protection Regulations, 2003.

A.7 GIS & Mapping Division

- 1) Survey Control Monuments are shown on the Land Use zoning map. Council shall inform the GIS and Mapping Division when a proposed development is proposed in the vicinity of a survey Control Monument.

A.8 Land Resources Stewardship Division

- 1) Agricultural leases are included in the Agriculture zone and therefore protected for agricultural use;
- 2) Commercial agricultural and hobby farm uses are permitted in the Rural zone;

- 3) The Town shall ensure that existing agricultural operations shall not be negatively impacted by proposed future development and sufficient area shall be protected to allow for future expansion.

A.9 Mineral Lands Division

Geological Hazards

To reduce the risk of inundation related to sea level rise, the following measures shall be applied, all new development shall be restricted to areas at least 4 metres above the high tide mark, and at least 30 metres inland from the edge of coastal cliffs, banks, and waterways.

Proposed development on steep slopes (>15%) shall be evaluated by a qualified professional to assess the risk for slope movements (e.g., landslide, rockfall), particularly in areas of thick tilt or other unconsolidated materials.

Quarries

- a. Residential development shall not be allowed to encroach on the areas identified with aggregate potential by the Mines Branch, particularly within the 300 m quarry referral buffer;
- b. Applications for development within the **300 m Quarry referral buffer**, which is shown as a Land Use Overlay on the Land Use zoning map, shall be referred to the Mineral Lands Division for comment prior to approval.

Mineral Exploration

- a. Mineral exploration that is not a development is allowed as a permitted use in all zones;
- b. Mineral exploration that is a development are allowed as a discretionary use in all zones; Incorporate development requirements regarding potential mining into the Development Regulations;
- c. Mineral working is a permitted use in areas zoned 'Rural'.

Removal of Quarry materials, site grading, soil deposit

- a. No development permit for removal or deposit of soil, or the excavation and removal of excavated material or grading is required if it is part of an approved development project or affects **less than 125 m³** of soil, sand, gravel, rock or other substance down to and including bedrock. All other cut or fill work, excavation and removal and deposit of material or grading requires a development permit under these Development Regulations.
- b. Removal or deposit of soil, topsoil, sods, or the excavation and removal of excavated material or grading requiring a development permit, shall meet the following conditions:
 - i. land intended for the activity or grading has a slope of less than 25%;
 - ii. resulting slopes are stable and without hazards;
 - iii. when the work is completed, the area affected shall be covered with topsoil and other necessary material for vigorous plant growth and planted with appropriate vegetation;
 - iv. drainage shall be provided to the satisfaction of Council and shall be designed so as not to impair existing surface drainage nor to create erosion either on the site or on adjacent sites; The above requirements may be incorporated in a grading plan
- c. Development is restricted in environmentally sensitive areas such as steep slopes, and areas prone to landslides and rockfall;

- d. For approved developments where the extraction of quarry materials is occurring or may be expected occur, the Town shall send a copy of the development permit to the Quarry Materials Section, Mineral Lands Division, at quarries@gov.nl.ca. Note that quarry materials include but are not limited to aggregate, fill, rock, stone, gravel, sand, clay, borrow material, topsoil, overburden, subsoil, peat. It is important that the Mineral Lands Division have the documentation necessary to distinguish excavation associated with an approved development from excavation that constitutes quarrying; possessing development permits for developments which may involve excavation will assist greatly in making this distinction.

A.10 National Codes and Regulations

The National Building Code, and associated codes, such as the Plumbing Code, the Fire Code, the Electrical Code, the Life Safety Code, and any other ancillary code and other municipal regulations or bylaws regulating or controlling the development, conservation, and use of land shall, under these Development Regulations apply to the entire Municipal Planning Area.

A.11 Newfoundland and Labrador Hydro- Easements

Any development in the vicinity of the NL Hydro easements or structures shall be referred to NL Hydro and other utilities to ensure that there are no conflicts. The Town shall consult NL Hydro for all development applications at the time the application is made to the Town. Requests for access roads underneath transmission lines shall be made to NL Hydro. Hydro shall not provide service to facilities, building, etc. in our right of ways and reserves the right to remove any buildings that impede our upgrade, maintenance or repair work. Any costs to remove impediments shall be at the owner's expense.

A.12 Pollution Prevention Division

Waste Disposal and Litter (Environmental Protection Act, 2002, Part IV)

- Waste receptacles shall be installed at all active areas for use by workers.
- All waste material shall be considered, prior to disposal, for reuse, resale or recycling.
- Waste materials not reused, resold or recycled, shall be disposed at an approved waste disposal site, provided the owner/operator is willing to accept such waste and the local Service Newfoundland and Labrador (SNL) has agreed with the disposal of the waste materials at the site.

Air Quality Management (Environmental Protection Act, 2002, Part VI)

- All activities associated with this proposal are subject to Air Pollution Control Regulations, 2004; <http://assembly.nl.ca/Legislation/sr/regulations/rc040039.htm>.
- Schedule E of the regulations prohibits the open burning of tires; plastics; treated lumber; asphalt and asphalt products; drywall; demolition waste; hazardous waste; biomedical waste; domestic waste; trash, garbage, or other waste from commercial, industrial or municipal operations; manure; rubber; tar paper; railway ties; paint and paint products; fuel and lubricant containers; used oil; animal cadavers; hazardous substances; materials disposed of as part of the removal or decontamination of equipment, buildings or other structures.

Pesticides (Environmental Protection Act, 2002, Part IX)

- All pesticide purchase, storage, and use is subject to compliance with the Pesticides Control Regulations, 2012, <http://assembly.nl.ca/Legislation/sr/regulations/rc120026.htm>. The

regulations stipulate that an applicator shall be licensed for the class of pesticide which is intended to be applied. Also, the regulations stipulate that an operator cannot purchase pesticides without the appropriate license(s).

- If the use of a pesticide(s) is required (e.g., for the control of insects, diseases, weeds, vegetation), the Pesticides Control Section of the Department shall be notified.

Storage and Handling of Gasoline and Associated Products (Environmental Protection Act, 2002)

- Petroleum storage and handling, associated with construction and operation of this project/facility, shall be in compliance with the Storage and Handling of Gasoline and Associated Products Regulations, 2003, as amended, <http://assembly.nl.ca/Leqislation/sr/regulations/rc030058.htm>.
- All petroleum storage tanks shall be registered with Service NL in accordance with the GAP Regulations and all leaks/spills shall be reported to the 24-Hour Environmental Emergency Spill Line at 709-772-2083 or 1-800-563-9089.
- Oils, greases, diesel, gasoline, hydraulic and transmission fluids should be stored at least 100 m from any body of water. Re-fuelling and maintenance activities should also occur at least 100 m from any body of water and on level terrain.
- An environmental emergency contingency plan shall be developed for alt storage tank systems. This plan details information regarding the location of spill response equipment and a trained contractor, in the event of a spill.

Used Oil (Environmental Protection Act, 2002; Used Oil Control Regulations)

- The proponent shall maintain constant compliance with the Used Oil Control Regulations, <http://assembly.nl.ca/Leqislation/sr/regulations/rc020082.htm>.
- Waste oils and used lubricating oil shall be retained in a tank or closed container, and disposed of by a company licensed for handling and disposing of used oil products.

Halocarbon (Environmental Protection Act, 2002; Halocarbon Regulations)

Any use of regulated substances, for example in fire suppression systems, associated with the proposed activity is subject to the Halocarbon Regulations, <http://assembly.nl.ca/Leqislation/sr/regulations/rc050041.htm>.6.5.10

A.13 Provincial Archaeology Office

- 1) If an archaeological site or artefact is discovered during development of a property, the development shall stop and Council shall consult with the Provincial Archaeology Office. Development shall not proceed until the Provincial Archaeology Office has evaluated the site or authorized the development to proceed. Any accidental discoveries of historic resources shall also be reported by the Town to the Provincial Archaeology Office.
- 2) Before approval is granted for a major development such as a subdivision or a new commercial or public building, the application shall be referred to the Provincial Archaeology Office for comments.

A.14 Water Resources Management Division

Definition: (From the *Water Resources Act, 2002*) "body of water" means a surface or subterranean source of fresh or salt water within the jurisdiction of the province, whether that source usually contains liquid or frozen water or not, and includes water above the bed of the sea that is within the jurisdiction of the province, a river, stream, brook, creek, watercourse,

lake, pond, spring, lagoon, ravine, gully, canal, wetland and other flowing or standing water and the land occupied by that body of water;

Conditions:

Under the authority of the *Water Resources Act, 2002*, the Water Resources Management Division (WRMD) is responsible for the management of water resources of the province of Newfoundland and Labrador. The WRMD has programs to protect, enhance, conserve, develop, control, and effectively utilize the water resources of the province. Protect rivers, streams, ponds, wetlands, riparian areas, and shorelines by ensuring conformance with requirements of the Water Resources Management Division of the Provincial government under the *Water Resources Act, 2002* and the *Environmental Protection Act, 2002* including Policy Directives (refer to Schedule F):

- a. W.R.91-1-Infilling Bodies of Water;
- b. W.R. 95-1- Policy for Land and Water Related Developments in Protected Public Water Supply Areas
- c. W. R. 96-1-Policy for Flood Plain Management
- d. W.R. 97-1-Development in Shore Water Zones;
- e. W.R. 97-2-Development in Wetlands;
- f. Guidelines for the Construction and Maintenance of Wharves, Breakwaters, Slipways and Boathouses; and,
- g. Environmental Control Water and Sewage Regulations, 2003.

Application forms for permits and licences, fee schedules, and guidelines are available at:
<https://www.gov.nl.ca/ecc/waterres/regulations/appforms/>

Any work in or within 15 metres of Bodies of Water

The proponent must apply for and obtain a permit under the *Water Resources Act, 2002*, specifically Section 48 for any work in or within fifteen (15) metres of a body of water (including wetlands) prior to the start of the work. The application forms and requirements for when a Section 48 permit are required can be found here
<https://www.gov.nl.ca/ecc/waterres/regulations/appforms/>

Flood Risk Area

The proposed work is within a designated flood risk area. The proponent must apply for and obtain a permit under of the *Water Resources Act, 2002*, specifically Section 48 for any work within this designated flood risk area prior to the start of construction. Also, any work within this designated flood risk area must comply with this Department's Policy for Flood Plain Management: <https://www.gov.nl.ca/ecc/waterres/regulations/policies/flood-plain/>

Non-Domestic Water Use for Any Purpose

Prior to the start of construction, the proponent must apply for and obtain a water use licence under the *Water Resources Act, 2002* for the use of water from any water source for any purpose. This must be stated for all non-domestic uses with an existing, new or planned water use from any water source.

Development in Shore Water Zones

The proponent must apply for and obtain a permit under the *Water Resources Act, 2002*, specifically Section 48 for any work in Shore Water Zones prior to the start of construction. Also,

any work in the Shore Water Zones must comply with this Department's Policy for Development in Shore Water Zones: <https://www.gov.nl.ca/ecc/waterres/regulations/policies/shore-water/>. Note: On-site sewerage disposal systems are prohibited within 30 metres from a waterbody or watercourse;

Groundwater

Please use a licensed driller for your well installation. A full list of licensed drilling companies is available here <https://www.gov.nl.ca/ecc/waterres/cycle/groundwater/well/well-drillinglicense-holders/>. Contact: Groundwater Section

Constructing a Non-Domestic Well

The proponent must apply for and obtain a Permit for Constructing a Non-Domestic Well under the *Water Resources Act, 2002*, specifically Section 58 for drilled well(s) along with following necessary groundwater monitoring requirements prior to start of construction. Contact: Groundwater Section

Un-serviced Subdivision

A proponent will be required to complete a Level I Groundwater Assessment as per the Department's Guidelines: Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Serviced by Individual Private Wells <https://www.gov.nl.ca/ecc/files/waterresregulations-appforms-unserviced-subdivision-gw-assessment-guidelines-dwh-revisions.pdf> under *Water Resources Act, 2002*, specifically Section 62.

These guidelines require a Level II Groundwater Assessment in the event of known water quality issues. A completed report must be submitted, reviewed and approved by this Department prior to any permitting by Service NL for waste disposal or septic systems within the proposed subdivision.

A proposed subdivision greater than 4 lots requires a Level I Groundwater Assessment. For proposed subdivisions between 5 to 14 lots, if a Level I Groundwater Assessment's findings recommend a Level II Groundwater Assessment this Department may request a Level II Groundwater Assessment be undertaken. A proposed subdivision of greater than 14 lots requires both a Level I and a Level II Groundwater Assessment. A Level I Groundwater Assessment generally will consist of a description of the hydrogeology, site characterization, and description of sustainable groundwater quality and quantity for the area. A Level II Groundwater Assessment will require the information in a Level I Groundwater Assessment and additional information as outlined in the Guidelines. Additional data includes information obtained from test well installation(s) and water quality testing. Contact: Groundwater Section.

Water Resources Act - Environmental Control Water and Sewage Regulations

All waters discharged from the proposed site, during construction and operation, are subject to compliance with the Environmental Control Water and Sewage Regulations, 2003, <http://assembly.nl.ca/Legislation/sr/regulations/rc030065.htm>.

A.15 Wildlife Division

To protect general wildlife habitat and landscape connectivity, the Town shall require the following measures when reviewing applications in the vicinity of waterbodies:

- a. a riparian buffer of 30 metres minimum undisturbed natural vegetated along wetlands and waterbodies (ponds, rivers, creeks etc.) or more for riparian areas near agricultural areas as recommended by the Wildlife Division;
- b. green belts connected to forested areas or other habitat patches to create wildlife travel corridors;
- c. indicate a minimum percentage of forest to be maintained during lot clearing;

Vegetation clearing shall be done outside the May 01 to July 31 period, to minimize disturbance during that sensitive breeding/ young rearing,

The Red Crossbill is listed as an Endangered species under the Newfoundland and Labrador

Endangered Species Act and as a Special Concern under the federal Species at Risk Act (SARA).

Also, Barrows Goldeneye, a species of waterfowl has been reported in the area. This species is listed as Vulnerable under NLESA & Special Concern under SARA. If these species are sighted, it shall be reported to the Wildlife Division by emailing endangeredspecies@gov.nl.ca

SCHEDULE B: FUTURE LAND USE MAP